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5 Facsimile: 415.986.2827

6 Attorneys for Defendant
ERIC BRAVICK
7
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 DFINITY USA RESEARCH, LLC, a limited
liability company,

13 Plaintiff,

14 v.
15

16 ERIC BRAVICK, an individual and DOES 1
through 100, inclusive,

17 Defendant.
18

Case No. 5:22-cv-03732-NC

**DECLARATION OF ERIC BRAVICK
IN SUPPORT OF DEFENDANT ERIC
BRAVICK'S MOTION TO DISMISS
AND REQUEST FOR JUDICIAL
NOTICE**

Complaint filed: May 11, 2022

19 I, ERIC BRAVICK, declare as follows:

20 1. I am over eighteen years old and I have personal, firsthand knowledge of the facts
21 stated in this declaration and, if called as a witness, could and would competently testify thereto.

22 2. This declaration is submitted in support of Defendant's Motion to Dismiss as well
23 as Defendant's Request for Judicial Notice.

24 3. A true and correct copy of an email from Christopher Tarpley, sent to me on
25 October 4, 2021 is attached as Exhibit 1. This email is referenced in Plaintiff's Complaint at
26 paragraph 12.
27
28

1 4. A true and correct copy of an email from Bradford Newman, sent to me on
2 November 2, 2021 is attached as Exhibit 2. This email is referenced in Plaintiff's Complaint at
3 paragraph 13.

4
5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct.

7 Executed this 1st day of July, 2022, at Traverse City, Michigan.

8 
9 ERIC BRAVICK

EXHIBIT 1



Eric Bravick <ebravick@gmail.com>

Recovery of DFINITY hardware

Christopher Tarpley <christopher.tarpley@dfinity.org>

Mon, Oct 4, 2021 at 1:58 PM

To: ebravick@gmail.com

Cc: Luis Mompoto Handen <luis@dfinity.org>, Josh Drake <josh.drake@dfinity.org>, Katie Peters <katie.peters@dfinity.org>

Hi Eric,

DFINITY needs to recover some hardware in your possession with regards to your former role with DFINITY. This is the inventory provided by Bluechip as hardware confirmed delivered to your data center address:

	<u>Part Number</u>	<u>Description</u>	<u>Quantity</u>
Shipped From BCT	407-BBOU	DELL NETWORKING TRANSCEIVER, SFP+,10GBE,SR,850nm WAVELENGTH,300M REACH	1
Shipped From BCT	407-BBZL	DELL NETWORKING ADATAPER, QSFP28 TO QSFP28 FOR SELECT OPTICS ONLY	2
Shipped From BCT	SYS-5019D-FN8TP	SKYLAKE D, X11SDV-TPBF, 505-203B	2
Shipped From BCT	GT-C628MB-K6	CAT6 550MHZ STRAIGHT THROUGH 28AWG CLEAR MOLDED	18
Shipped From BCT	AP79208	RACK PDU SWITCHED 1U 12A 208V PERP 10A 230V 8 C13	1
Shipped From BCT	210-ALSU	Dell EMC Switch S4148T-ON,	2
Shipped From BCT	210-AEDQ	S3048-ON, 48x 1GbE, 4x SFP+ 10GbE ports	2
Shipped From BCT	407-BBXT	Dell Networking Transceiver, 40GbE, Bidi QSFP, LC Duplex MMF, 100m OM3 or 150m OM4	1
Shipped From BCT	470-ACMO	Dell EMC Networking Cable, OM4 LC/LC Fiber Cable, (Optics required), 3Meter	1
Shipped From BCT	470-ABLT	Dell Networking Cable, SFP+ to SFP+, 10GbE, Active Optical Cable (Optics Included), 5Meter	1
Shipped From BCT	470-AAWE	Dell Networking Cable QSFP+ to QSFP+ 40GbE Passive Copper Direct Attach Cable 5 meter	1
Shipped From BCT	C60STPXC6XX31K	PATCHBOX Plus+ STP Cassette Black LR	128
Shipped From BCT	PBXFRAME	PATCHBOX® PLUS+ FRAME INCL. MOU	6
Shipped From BCT	GT-C14-C13-102-15F	IEC-C14 to IEC-C13 10A/250V Power Cable- 15FT	2
Shipped From BCT	610640003	QSFP-4x10SFP+ 3M DAC Cable	1
Shipped From BCT	GT-LCLCDS2Y-3M	LC/LC Duplex Singlemode OS2 9/125 Cable Yellow- 3M	1
SM Gen-2 POC	AS -1124US-TNRP	H12DSU, 119UHTS-R1K22HP-T	1
Dell Gen-2 POC	210-ATID	OEM PowerEdge R6525 Server	1
PVB-724	AS -1124US-TNRP	H12DSU, 119UHTS-R1K22HP-T	2
PVB-724	210-ATCF	PowerEdge R6525 Server	2

We have a vendor on standby to collect this hardware from your data center location, please let me know when this can be scheduled.

Thanks,

Chris Tarpley
DFINITY Data Center Coordinator

EXHIBIT 2



Eric Bravick <ebravick@gmail.com>

Return of DFINITY hardware

1 message

Newman, Bradford <Bradford.Newman@bakermckenzie.com>
To: "ebravick@gmail.com" <ebravick@gmail.com>

Tue, Nov 2, 2021 at 12:26 PM

Mr. Bravik:

As you are aware, I am counsel for DFINITY.

I am following up on the October 4, 2021 email below sent to you by Mr. Tarpley.

It is important that you provide a near-term date for DFINITY's vendor to collect this hardware from your data center location.

Please respond to this email by Thursday, November 4, 2021 so that the necessary arrangements can be made for return of DFINITY's equipment.

Thank you.

Best,

Bradford Newman

Principal, Litigation

Chair of North America Trade Secrets Practice

Direct: +1 650 856 5509

Cell: +1 650 248 4911



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----- Forwarded message -----

From: **Christopher Tarpley** <christopher.tarpley@dfinity.org>

Date: Mon, Oct 4, 2021 at 10:58 AM

Subject: Recovery of DFINITY hardware

To: <ebravick@gmail.com>

Cc: Luis Mompoto Handen <luis@dfinity.org>, Josh Drake <josh.drake@dfinity.org>, Katie Peters <katie.peters@dfinity.org>

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Shipped From BCT	407-BBZL	DELL NETWORKING ADATAPER, QSFP28 TO QSFP28 FOR SELECT OPTICS ONLY	2
Shipped From	SYS-5019D-FN8TP	SKYLAKE D, X11SDV-TPBF, 505-203B	2

BCT			
Shipped From BCT	GT-C628MB-K6	CAT6 550MHZ STRAIGHT THROUGH 28AWG CLEAR MOLDED	18
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Shipped From BCT	GT-C14-C13-102-15F	IEC-C14 to IEC-C13 10A/250V Power Cable- 15FT	2
Shipped From BCT	610640003	QSFP-4x10SFP+ 3M DAC Cable	1

Shipped From BCT	GT-LCLCDS2Y-3M	LC/LC Duplex Singlemode OS2 9/125 Cable Yellow- 3M	1
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Dell Gen-2 POC	210-ATID	OEM PowerEdge R6525 Server	1
PVB-724	AS -1124US-TNRP	H12DSU, 119UHTS-R1K22HP-T	2
PVB-724	210-ATCF	PowerEdge R6525 Server	2

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Thanks,

Chris Tarpley

DFINITY Data Center Coordinator

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Josh Drake

VP of Operations | DFINITY

dfinity.org